



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश शासन द्वारा प्रकाशित

खंड IV

शिमला, शनिवार, 17 नवम्बर, 1956

[मंग्या 46]

विषय-सूची						
गग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिशनरज कोर्ट द्वारा अधिसूचनाएं इत्यादि	..	..	..	..	643—647 & 654
गग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	..	..	..	..	—
गग 3	अधिनियम, विधेयक और विधेयकों पर प्रबल समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि	..	..	..	..	648—651
गग 4	स्थानीय स्वायत शासन: स्पुनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटीफाइड और टाउन एरिया तथा पंचायत विभाग	..	..	..	..	651—654
गग 5	वैयक्तिक अधिसूचनाएं और विज्ञापन	..	..	..	..	654
भाग 6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	..	..	..	..	—
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) को वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	..	..	..	..	—
—	अनप्रक	..	..	..	..	—

तारीख 17 नवम्बर, 1956 ई० को समाप्त होने वाले सप्ताह में निम्नलिखित "असाधारण राजपत्र, हिमाचल प्रदेश" प्रकाशित हुए:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. A. 107-112/54, dated the 13th November, 1956.	Election Department	Election to the Council of States.
No. A. 107-112/54, dated the 13th November, 1956.	H. P. Administration	Announcement of sad demise of Kr. Shiv Singh, Ex-Assistant Secretary (Home) to the Government of Himachal Pradesh.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिशनरज कोर्ट द्वारा अधिसूचनाएं इत्यादि

HIMACHAL PRADESH ADMINISTRATION

FINANCE DEPARTMENT

APPOINTMENTS DEPARTMENT

NOTIFICATION

Simla-4, the 13th November, 1956

No. A. 8-29/53.—In continuation of Himachal Pradesh Government's Notification of even number, dated the 21st May, 1956, the Lieutenant Governor, Himachal Pradesh, is pleased to order, in consultation with the Union Public Service Commission, that Shri Mul Chand Saraswati, M. A., LL. B., will continue to hold the post of Deputy Director of Education, Himachal Pradesh, from the 1st September, 1956 to the 31st March, 1957, or till the Commission's nominee becomes available, whichever is earlier.

By order,
K. N. CHANNA, I.A.S.,
Chief Secretary.

No. F. 107-424/54.—In exercise of the powers vested in him under item 37 (4) of Appendix 8 to General Financial Rules, Volume II, the Lieutenant Governor, Himachal Pradesh, has been pleased to declare the Assistant Secretary to the Administration of Himachal Pradesh, Finance Department, as 'Controlling Officer' for the purpose of 'Secret Expenditure'.

By order,
INDAR SEN,
Finance Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-4, the 12th November, 1956

No. I & S. 85-11/55.—In view of the heavy transactions connected with the forthcoming Lavi Fair at Rampur (Bushehr), Mahasu District, the Lieutenant Governor, Himachal Pradesh, in exercise of the powers vested in him under Section 18 of the Punjab Trade Employees Act, 1940, as applied to Himachal Pradesh is pleased to exempt the traders of Rampur from the operation of Sections 4, 5, 6 and 7 of the provisions of the Trade Employees Act, 1940 (as applied to Himachal Pradesh) during the fair with effect from 8th November to 17th November, 1956.

By order,
A. B. MALIK,
Secretary.

MEDICAL DEPARTMENT

NOTIFICATIONS

Simla-4, the 9th November, 1956

No. M. 65-407/51-II.—In supersession of Notification of even number, dated the 27th March, 1956, Dr. Krishan Kant Sharma, Assistant Surgeon, Class I (Gazetted), Medical Officer, incharge Civil Hospital, Rohru, District Mahasu, is granted 43 days' earned leave from 14th April, 1956 to 26th May, 1956 with permission to prefix and suffix holiday and Sunday on 13th April, 1956 and 27th May, 1956, respectively.

Simla-4, the 12th November, 1956

No. M. 65-619/53.—Dr. G. R. Dewan, Dental Surgeon, Mandi is granted 20 days' earned leave with effect from 5th November, 1956 with permission to avail gazetted holidays falling from 2nd November, 1956 to 4th November, 1956.

R. C. GUPTA,
Assistant Secretary.

PUBLIC RELATIONS DEPARTMENT

NOTIFICATION

Simla-4, the 12th November, 1956

No. Pub. 78-208/54.—29 days' earned leave granted to Shri P. C. Kashyap, Publicity Officer, Public Relations Department, Himachal Pradesh, *vide* Notification No. Pub-78-208/54, October 31, 1956, is further extended for a period of 16 days w. e. f. 2-11-56 to 17-11-56 with permission to suffix Sunday falling on 18-11-56.

A. B. MALIK,
for Chief Secretary.

REVENUE DEPARTMENT

NOTIFICATIONS

Simla-4, the 5th November, 1956

No. R. 60-113-56.—Whereas it appears to the Lt.-Governor, Himachal Pradesh, that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for the construction of Chamba-Banikhet road, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lt.-Governor is pleased to authorise the officers for the time being engaged in the undertaking

with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh, P. W. D., Kennedy House, Simla.

SPECIFICATION

District: CHAMBA

Tehsil: BHATTIYAT

Village	Khasra No.	Area	
		Bighas	Biswas
KAKYANA	894/2	0	9
	895/2	0	5
	896	0	5
	891/2	0	14
	892/2	0	12
	889/2	2	4
	890	3	19
	897/2	0	1
Total		8	9

Simla-4, the 31st October, 1956

No. R. 86-247/53.—Whereas it is expedient to make rules for preparation and submission of indents for non-postal stamps and for regulating other matters connected therewith in Himachal Pradesh, the Financial Commissioner, Himachal Pradesh, is pleased to make rules specified in the annexure appended to this notification, in supersession of the existing rules contained in Chapter 2, Part III of the Punjab Stamp Manual as applied to Himachal Pradesh under notification No. R. 1-7/49, dated the 8th April, 1950.

ANNEXURE

RULES FOR THE PREPARATION AND SUBMISSION OF INDENTS FOR NON-POSTAL STAMPS

1. These rules shall be called "The Himachal Pradesh Stamp Indent Rules, 1956".

2. In these rules, unless otherwise stated, the word "stamp" means non-postal stamp, and the word "indent" means indent for non-postal stamps.

LOCAL DEPOTS

PART I ORDINARY INDENTS

3. Every district treasury in the Himachal Pradesh has been constituted a local depot for the custody and sale of stamps of all descriptions, it is the duty of the Treasury Officer, under the control of the Deputy Commissioner and with the assistance of the Treasurer, to be custodian of the main stocks of stamps under double lock in the treasury strong-room, and to replenish that stock. He should avoid overstocking and watch the balances and arrange for supplies of stamps in sufficient quantities to branch depots.

4. Rule 9 (i) (a) and (b) of the Government of India Rules for the supply and distribution of stamps classifies stamps as follows:—

(a) Those supplied on indents by Treasury Officers annually, *viz.*,

(i) Non-judicial and impressed court-fee stamps of the value of Rs. 25 and above; and

(ii) Fiscal adhesive stamps of all values, other than half anna, one anna, two annas and four annas revenue stamps, and

adhesive court-fee stamps of the value of Rs. 5 and above;

(b) Those supplied four monthly—all other stamps. For the purpose of indents, the former are termed "high value stamps" and the latter "low value stamps".

5. (1) Indents should be prepared by Treasury Officers personally with the help of the Treasurer or Head Treasury Clerk, on the respective standardized indent forms [A and T Nos. 89 (a) and (b)].

(2) The indents should include the requirements of branch depots.

6. The indents for low value stamps should be submitted by Treasury Officers, in duplicate, to the Financial Commissioner, Himachal Pradesh, with a forwarding memorandum so as to reach by the dates given below:—

Period covered by the indent	Latest date by which indents should reach the Financial Commissioners Office
------------------------------	---

1st April to 31st July. 8th November.

1st August to 30th November. 8th March.

1st December to 31st March. 8th July.

7. Indents for high value stamps should be submitted annually, in duplicate, to the Financial Commissioner so as to reach him before the 8th November. These indents should be entirely separate from the indents for low value stamps and should be for the probable consumption of twelve months (April to March of the following year). The two indents should be tagged together.

8. The space for number, date and the name of district and period for the supplies required in the forwarding memorandum should be carefully filled in.

9. The stock of stamps in hand in the treasury should be entered in column 2 of the indent. The "balance in hand" in this column means the stock in double as well as single locks.

10. The quantity due, if any, on the previous indents from the Central Stamp Store, at the time of preparation of indents, should be entered in column 3, but should be considered as received in the treasury for the purpose of stamping indents.

11. It is also essential that the quantities sold, including issues to branch depots, should be shown in column 4 of the indent—

(a) in the case of high value stamps, for the preceding twelve months; and

(b) in the case of low value stamps, for the preceding four months.

12. (a) Each local depot is required to maintain a reserve stock of stamps of all denominations not less than the probable consumption of four months, in addition to the stock required for the four monthly or annual consumption for which indents are submitted four monthly and yearly, respectively.

(b) In order to maintain the above reserves in the treasuries under the present system of submitting indents five months in advance of actual date of requirement, the figures for column 5—quantity indented for—should be obtained as follows:—

(i) in the case of four monthly indents $3\frac{1}{2}$ times column 4 minus total of column 2 and 3, and

(ii) in the case of annual indents, $7\frac{1}{4}$ times column 4 minus total of columns 2 and 3.

Indents should be prepared in accordance with this scale of supply; reasons for variations from the scale should invariably be stated justifying relaxation of the rule. The method of arriving at the figures, for column 5, will hold good if the indents are prepared as per rules at the proper

time. If, however, the indents happen to be prepared a month or two late, then the formula for arriving at the figures for column 5 will vary.

13. In submitting an indent for stamps of which there have been no sales in the preceding year or four months, as the case may be, the reason for the demand should be given.

14. Demand for adhesive stamps should be based on the set (i.e., the number of perforated stamps per sheet), and no stamp should be indented for in quantities less than the minima quoted in the printed list of stamps of all description stocked in the Central Stamp Store, a copy of which is enclosed.

The following further principles shall also be carefully observed when indenting for stamps of smaller denominations—

(a) Adhesive court-fee stamps and Fiscal Stamps (viz., Special Adhesive, Foreign Bill, etc.). Quantities to be indented for supply should be in multiples of five if they are less than a hundred and in multiples of ten if they are above hundred; the figures being rounded to 100 or 200 sheets wherever possible; when the demands are small, quantities less than five sheets may be indented for. In the case of high value or fiscal stamps where a few labels are required, fractions of sheets other than one-third and two-third of a sheet should not be indented for.

(b) Impressed Stamps (Viz. Non-Judicial, impressed, Court-fee, Hundies, etc.).

Non-judicial stamps of the rupee values up to the denomination of Rs. 25, should be indented for in multiples of 100.

Demands for stamps of the value of Rs. 25 and above should also be rounded to the nearest hundred wherever possible, but if the supplies required are very small, as in the case of the higher values, quantities in multiples of 5 should be indented for.

15. Indents should specify the mode of despatch, and the detailed address to which consignments are to be sent.

16. Stamps for which there is no demand in the treasury should be reported to the Financial Commissioner as surplus stock in order that they may be transferred elsewhere. A fresh list of such stock should accompany every four monthly indent until the surplus stock reported has been disposed of.

17. Stamps of all descriptions are now supplied to the Himachal Pradesh from the Central Stamp Store Nasik. All indents will be transmitted to the Controller of Stamps, Central Stamp Store, Nasik by the Financial Commissioner for direct compliance after they have been scrutinized. Indents should not be sent by Treasury Officers direct to the Controller of Stamps under any circumstances and sub-treasury officers are not required to submit indents to the Financial Commissioner.

18. As soon as all the four-monthly or annual indents for the state have been transmitted to the Controller, a report will be sent to him by the Financial Commissioner for his information.

19. Even if a supply of stamps is not required in the succeeding four months or year, as the case may be, indents should be prepared and submitted to the Financial Commissioner on the prescribed date. The information contained therein will enable the Financial Commissioner's office to gauge whether or not a sufficient stock is being maintained.

20. If indents are prepared in accordance with the foregoing rules demands will be neither curtailed in the Financial Commissioner's office, nor indents returned for correction. In those cases in which indents are returned for amendment, they should be resubmitted, after carrying out necessary corrections, punctually

within 3 days of their receipt. Any delay in the resubmission of indents will cause delay in the despatch of supplies from Nasik and the Treasury Officer will be held responsible for the consequences of such delays.

21. Indents for the supply of postage stamp and postal stationery should be submitted by Treasury Officers to the Controller of Stamps, Central Stamp Store, Nasik Road, direct for scrutiny and supply.

PART II—EMERGENT INDENTS

22. Emergent indents for non-postal stamps are permissible, as their name implies, in emergencies, i.e., extraordinary circumstances, not foreseen, which have depleted the reserve stock of non-postal stamps and serious inconvenience in meeting the public demand is anticipated. It follows, therefore, that if treasuries maintain the prescribed reserves, *vide* rule 12 (a), the necessity for the submission of emergent indents should arise rarely, if ever.

23. Such indents should be prepared on the same form as ordinary indents but the word "Emergent" should be written at the top of the forwarding memorandum in red ink.

24. In the forwarding memo. to the Financial Commissioner, the necessity for such indents should be fully explained. Unless this is done, indents will not be transmitted to the Controller of Stamps, Central Stamp Store. Emergent indents should not be sent to the Controller of Stamps direct on any account.

25. Such rules relating to ordinary indents as may be applicable to emergent indents should be duly observed.

26. Emergent indents should be prepared for those denominations of stamps, only, the reserve stock of which is in danger of depletion, and only such quantities should be indented for as will be sufficient to replenish the reserve stock or meet extraordinary demands—

(a) in the case of low value stamps, for the probable consumption of the remaining period of the current quarter and sufficient to cover the period until receipt of the next quarterly supplies from Nasik Road, and

(b) in the case of high value stamps, for the probable consumption of the remaining period of the year up to September.

27. When the reserve stock of any denomination of stamps has been nearly exhausted and an immediate supply is required, the Treasury Officer should indent by telegram to the Financial Commissioner, followed by an explanation as to why he could not submit an emergent indent in the prescribed form earlier. The Financial Commissioner, after scrutinizing whether the supply is essential or not, will telegraph to the Controller of Stamps, Central Stamp Store, Nasik Road (Abbreviated telegraphic address—SECPRIN NASIK), the quantities to be despatched, specifying the mode of despatch, i.e., whether by passenger train or post.

28. It should be remembered that at least ten days are required to obtain a supply from Nasik by telegram.

29. In cases in which a supply of stamps is needed immediately the Treasury Officer concerned may be able to obtain it from an adjoining district, and this is permissible under advice to the Financial Commissioner. Transfers of non-postal stamps from one district to another should similarly be reported to the Financial Commissioner.

30. Emergent indents for the supply of postage stamps and postal stationery should be submitted to the Controller of Stamps, Central Stamp Store, Nasik Road, direct. The reasons justifying those indents should always be clearly explained.

PART III—BRANCH DEPOTS (SUB-TREASURIES)

31. Every subordinate branch or tehsil treasury in the Himachal Pradesh has been constituted a branch depot

for the sale of stamps of all descriptions under charge of the Tehsildar or other officer in charge of the Sub-Treasury. It is the duty of the Sub-Treasury Officer under the control of the Treasury Officer and with the assistance of the Treasurer's agent, to be custodian of the main stock of stamps under double lock, and to replenish that stock when necessary.

32. Replenishment of stock at branch depots is made on indents in bilingual form No. 215 submitted by the Tehsildar or Sub-Treasury Officer in charge of the branch depot to the Treasury Officer of the district. Sub-Treasuries should arrange to keep a sufficient stock of form No. 215.

33. These indents should be checked, passed and signed personally by the Treasury Officer after which they become the Treasurer's warrant for the supply indented for.

34. These supplies should be so regulated that ordinarily the balance of stamps at each branch depot should never be less than sufficient for one month's, nor more than sufficient for two months' average consumption.

List of Non-Postal Stamps Stocked in the Government of India, Central Stamp Store, Nasik Road

NON-POSTAL

(i) ADHESIVE STAMPS

(a) Adhesive Court-Fee (48 Set)

Rs. A. P.	Rs. A. P.	Rs. A. P.
0 1 0	0 12 0	4 0 0
0 2 0	1 0 0	5 0 0
0 3 0	1 2 0	6 0 0
0 4 0	1 8 0	10 0 0
0 6 0	2 0 0	15 0 0
0 8 0	3 0 0	20 0 0

(b) Revenue (320 Set)

Rs. A. P.	Rs. A. P.
0 ½ 0	0 2 0
0 1 0	0 4 0

(c) Fiscal

All Anna values are either 168 or 192 set. Values Rs. 1 to 10 are either 120 or 144 set. Above Rs. 10, 80 or 96 set

(a) Special Adhesive

As. 2	Rs. 1	Rs. 7	Rs. 40
3	2	8	50
4	3	9	100
6	4	10	200
8	5	20	500
12	6	30	1,000

(b) Insurance

Rs. 2	As. 12
3	Re. 1
4	Rs. 3
5	Rs. 6
6	Rs. 10
8	

(c) Foreign Bill

As.	12
2	Re. 1
3	Rs. 2
4	Rs. 3
6	Rs. 6
8	

(d) Share Transfer

As.	12
2	Re. 1
3	Rs. 5
4	Rs. 10
8	

(e) Notarial

Re. 1	2
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(f) Broker's Note

As.	8
2	As. 12
3	Re. 1
4	
6	

(g) Agreement

Rs.	8
2	Re. 1
4	

(h) Miscellaneous

High Court Notarial	Rs. 2
High Court Advocate-80 set	..	..	Rs. 500

(ii) IMPRESSED STAMPS

(a) Impressed Court-Fee-Revised Range

Twenty-two denominations:—Rs. 25, Rs. 30, Rs. 35, Rs. 40, Rs. 45, Rs. 50, Rs. 60, Rs. 70, Rs. 80, Rs. 100, Rs. 125, Rs. 150, Rs. 200, Rs. 250, Rs. 300, Rs. 400, Rs. 500, Rs. 1,000, Rs. 3,000, Rs. 5,000, Rs. 2,50,000.

(b) Non-judicial-Revised Range

Six denominations—Annas series, 2,3,4,6,8,12.

Thirty denominations:—Rupee series:—Re. 1, Re. 1/8/-, Rs. 2, Rs. 2/8/-, Rs. 3, Rs. 3/8/-, Rs. 4, Rs. 4/8/-, Rs. 5, Rs. 6, Rs. 7, Rs. 7/8/-, Rs. 8, Rs. 9, Rs. 10, Rs. 12/8/-, Rs. 15, Rs. 20, Rs. 25, Rs. 30, Rs. 35, Rs. 40, Rs. 45, Rs. 50, Rs. 60, Rs. 75, Rs. 100, Rs. 150, Rs. 200, Rs. 500.

(c) Hundies or Bills of Exchange

Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
0 2 0	0 10 0	3 0 0	11 4 0
0 3 0	0 12 0	3 6 0	12 0 0
0 4 0	0 15 0	4 8 0	13 8 0
0 5 0	1 0 0	6 0 0	15 0 0
0 6 0	1 2 0	6 12 0	18 0 0
0 8 0	1 8 0	7 8 0	22 8 0
0 9 0	2 4 0	9 0 0	27 0 0

Quantities less than the following are not supplied by the Central Stamp Store, Nasik Road:—

Description	Quantity Sheet
Adhesive Court-Fee	.. .. 1
Revenue Stamps	.. .. 1
Fiscals (viz. Special adhesive, Foreign, Bill, Insurance, Share Transfer, Notarial, Broker's Note, Agreement, etc.)—	
Sheets of stamps of 168, 120 and 80 set	1/3
—do— 192, 144 and 96 set	1/3
Impressed Stamps—	
Impressed Court-Fee, Non-Judicial, Hundies.	1

Simla-4, the 13th November, 1956

No. R. 34-3/56.—The Lieutenant Governor, Himachal Pradesh, is pleased to retire Shri Ram Saroop, Extra Assistant Settlement Officer, Chamba, who attained the age of superannuation on 24th April, 1956, with effect from the forenoon of the said date.

Simla-4, the 13th November, 1956

No. R. 60-9/56.—This Government notifications of even number, dated the 2nd April, 1956 and 26th July, 1956 regarding acquisition of land for the construction of H. T. Road in Village Narkanda, Tehsil Kumarsain, Mahasu District, is hereby cancelled.

Simla-4, the 13th November 1956

No. R. 60-9/56.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the H. P. Administration at the public expense for a public purpose, namely for the construction of H. T. Road and P. W. D. quarters it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid act the Lieutenant Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh P.W.D., Railway Board Building, Simla.

SPECIFICATION

District : MAHASU Tehsil : KUMARSAIN

Khasra No.	Area			1	2	3
	1	2	3			
Village : NARKANDA				71/2	0	4
				70/2	0	6
				94/54	0	6
42	0	3		97/54	0	7
41/1	1	14		92/54	0	6
47/1	3	7		95/54	0	3
40/1	0	3		64/44/1	0	6
65	0	2		64/44/2	0	3
84/51	0	4		64/44/3	0	16
30	0	9		28/1	1	5
32/1	0	2		49/1	0	12
74/37/1	2	1		5/1	0	11
63/60/56/31/1	2	10		4/1	2	16
76/51	0	1		1/1	6	2
81/51	0	1		Total .. 25	0	

By order,

BASANT RAI,
Assistant Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिमंचनाएं इत्यादि

भाग 3—आर्थिक विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा आर्थिक सूचित आदेश इत्यादि।

LAW DEPARTMENT

NOTIFICATION

Simla-4, the 31st October, 1956

No. LR. 1-51/56.—In pursuance of section 33A of the Government of Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English translation of "Himachal Pradesh Main Yatriyon Tatha Saman par Kar Langane ka Adhiniyam", (The Himachal Pradesh Passengers and Goods Taxation Act, 1955), as passed by the Himachal Pradesh Vidhan Sabha, and assented to by the President on the 25th November, 1955.

By order,

LAKSHMAN DASS,
Assistant Secretary (Judicial).

ACT No. 15 of 1955

THE HIMACHAL PRADESH PASSENGERS AND GOODS TAXATION ACT, 1955

AUTHORISED TEXT

AN
ACT

to provide for levying a tax on passengers and goods carried by road in certain motor vehicles

Be it enacted by the Legislative Assembly of the State of Himachal Pradesh in the Sixth Year of Republic of India as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Himachal Pradesh Passengers and Goods Taxation Act, 1955.

(2) It shall extend to the whole of the State of Himachal Pradesh.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "business" means the business of carrying passengers and goods by motor vehicles;

(b) "Commissioner" means the Financial Commissioner of Himachal Pradesh;

(c) "fare" includes sums payable for a season ticket or in respect of the hire of a contract carriage;

(d) "goods" include live-stock, and anything carried by a motor vehicle except living persons, but does not include the personal luggage of passengers travelling in the vehicles when such luggage is not charged for, and the equipment ordinarily used with the vehicle;

(e) "Motor vehicle" means a public service vehicle or public carrier, or private carrier or a trailer when attached to any such vehicle;

(f) "owner" means the owner of a motor vehicle in respect of which a permit has been granted or countersigned under the provisions of the Motor Vehicles Act, 1939, and includes (a) the holder of a permit in respect of such vehicle, (b) any person for the time being in charge of such vehicle, (c) any person responsible for the management of the place of business of such owner, (d) Government or a Corporation constituted under the Road Transport Corporations Act, 1950;

(g) "passenger" means any person travelling in a public service vehicle, but shall not include the driver or the conductor or an employee of the owner of the vehicle travelling in the bona fide discharge of his duties in connection with the vehicle;

(h) "State" means the State of Himachal Pradesh;

(i) "State Government or Government" means the Lieutenant Governor of the State of Himachal Pradesh;

(j) all words and expressions used in this Act but not defined shall have the meanings assigned to them in the Motor Vehicles Act, 1939.

3. **Levy of tax.**—(1) There shall be levied, charged and paid to the State Government a tax on all fares and freights in respect of all passengers carried and goods transported by motor vehicles at the rate of one pie per anna value of the fare or freight.

as the case may be, subject to a minimum of three pies in any one case; the amount of tax being calculated to the nearest whole pice (three pies).

Explanation.—When passengers are carried and goods are transported by a motor vehicle, and no fare or freight whether chargeable or not has been charged the tax shall be levied and paid as if such passengers were carried or goods transported at the normal rate prevalent on the route.

(2) Where any fare or freight charged is a lump sum paid by a person on account of a season ticket or as subscription or contribution for any privilege, right or facility which is combined with the right of such person being carried or his goods transported by a motor vehicle, without any further payment or at a reduced charge, the tax shall be levied on the amount of such lump sum or on such amount as appears to the prescribed authority to be fair and equitable having regard to the fare or freight fixed by a competent authority under the Motor Vehicles Act, 1939.

(3) Where passengers are carried or goods transported by a motor vehicle from any place outside the State to any place within the State, or from any place within the State to any place outside the State, the tax shall be payable in respect of the distance covered within the State at the rate laid down in sub-section (1) and shall be calculated on such amount as bears the same proportion to the total fare and freight as the distance covered in the State bears to the total distance of the journey.

4. Method of collection of tax.—The tax shall be collected by the owner of the motor vehicle and paid to the State Government in the prescribed manner.

5. Method of levy.—(1) Save as otherwise provided by this Act, no passenger shall be allowed to travel by the owner in a motor vehicle unless he is issued a ticket in the prescribed form for the journey, denoting that the tax has been paid:

Provided that if a journey begins outside the State, the tax shall be in chargeable on entry within the State, in the prescribed manner.

(2) Save as otherwise provided by this Act, no goods shall be allowed to be carried in a motor vehicle unless the person in charge of the vehicle or a passenger, as the case may be, has in his possession a receipt in the prescribed form issued by the owner of the motor vehicle, showing the freight charged or the freight chargeable at the usual current rate and denoting that the tax due under the Act has been paid.

6. Keeping of accounts and submission of returns.—(1) An owner may be required to keep such accounts and to submit such returns at such intervals and to such authority as may be prescribed.

(2) If any owner fails, without reasonable cause, to submit return or pay the tax due according to such return within fifteen days of the due date, the assessing authority may direct that such owner shall, by way of penalty, pay, in addition to the amount of tax payable by him, a sum not exceeding five rupees for every day during which the default continues.

(3) Any penalty imposed under sub-section (2) shall be without prejudice to any punishment that may be imposed under the provision of section 17.

(4) If the prescribed authority is satisfied that the tax has not been correctly levied, charged and paid, he may after giving the owner a reasonable opportunity of being heard, proceed to levy the amount of tax due and recover the same.

7. Taxing Authorities.—(1) For carrying out the purposes of this Act, the Commissioner may be assisted by such other person or persons as the State Government may appoint in this behalf.

(2) The Commissioner, and the person or persons appointed under sub-section (1) shall exercise such powers and perform such duties as may be assigned to them under this Act.

8. Registration of owner.—No owner shall ply his motor vehicle in the State unless he is in possession of a valid registration certificate as provided hereinafter.

9. Grant of Registration Certificate.—(1) A registration certificate shall be granted in the prescribed manner to any owner applying therefor to the prescribed authority in the district in which his motor vehicle is registered under the Motor Vehicles Act, 1939 on payment of a fee of one rupee.

(2) Every such registration certificate shall be valid without renewal till it is cancelled or suspended.

(3) No registration certificate shall be granted to any person who has not registered his motor vehicle under the Motor Vehicles Act, 1939, and if any such registration under that Act is suspended or cancelled, any registration certificate granted under this Act shall be deemed to be suspended or cancelled, as the case may be.

(4) If the prescribed authority is satisfied that any owner is liable to pay tax under the provisions of this Act in respect of any period but who has wilfully failed to apply for registration or to pay the tax, the said authority may, after giving the owner a reasonable opportunity of being heard, assess the amount of tax, if any, due from the owner, and also direct that the owner shall pay in the prescribed manner by way of penalty, a sum not exceeding one-and-a-half times the amount of the tax.

(5) If an owner, who has been granted a certificate of registration under sub-section (1) transfers, discontinues or closes his business, he shall inform the prescribed

authority within thirty days of his doing so, and the said authority shall cancel the registration certificate from the date of transfer, discontinuance or closing down of the business.

(6) (i) On the death of an owner any person claiming to be the legal representative of the deceased shall inform the prescribed authority of this fact within a period of thirty days.

(ii) The prescribed authority shall thereupon transfer the certificate in the name of the applicant.

(7) When any owner transfers any motor vehicle, the transferee shall be liable to pay tax and penalty, if any, remaining unpaid by the transferer up to the date of transfer as if he was the registered owner, and the transferee shall not ply the said motor vehicle without getting himself registered or getting his registration certificate amended, if he is already registered.

10. Exemptions.—The State Government may by general or special order exempt an owner from the operation of any or of all the provisions of this Act.

11. Supply of time table and table of fares and freights.—An owner shall, in the prescribed manner, furnish to the prescribed authority a table of fares and freights of public service vehicles and public carriers, a table regulating timings of arrival and departure of motor vehicles and such other particulars connected with the business as the prescribed authority may by order from time to time require.

12. Arrears of tax to be recovered as arrears of land revenue.—Any arrears of tax or penalty imposed under this Act shall be recoverable as an arrear of land revenue.

13. Powers of entry and inspection.—(1) The driver of a motor vehicle shall cause the vehicle to stop and remain stationary, when required so to do by any prescribed authority in order to enable the said authority to carry out any duty imposed by or under this Act and the said authority may also enter and travel in the motor vehicle for doing so.

(2) A person authorised under sub-section (1) shall wear such uniform or such other distinguishing insignia as may be prescribed, may enter and inspect any place ordinarily used by the owner for garaging a vehicle or keeping accounts of his business for the purpose of seeing or verifying whether the provisions of this Act or any rules framed thereunder are being complied with and countersign any documents during the course of such inspection.

14. Production of tickets.—A passenger shall upon demand made during the course of or immediately before or after the journey, produce to any prescribed authority, the ticket, voucher or document relating to his travel, or to the carriage of his goods. On his failure to do so he would be chargeable with twice the fare as penalty.

15. Appeals.—An appeal shall lie to the appellate authority appointed by the State Government in this behalf, within 60 days of passing of any order appealed against provided that this period may be extended for good cause shown to the appellate authority. The order of the appellate authority shall be final, except as provided in section 16:

Provided that no appeal shall be entertained by such authority unless he is satisfied that the amount of tax assessed has been paid:

Provided further that such authority if satisfied that an owner is unable to pay the tax assessed may for reasons to be recorded in writing entertain an appeal without such tax having been paid.

16. Revisions.—(1) The Commissioner, of his own motion, or on application made to him in the prescribed manner may call for the record of any proceedings, which are pending before or have been disposed of by any other authority subordinate to him under this Act for the purpose of satisfying himself as to the legality or propriety of such proceedings or of any order made therein and may pass such orders in relation thereto as he may think fit:

Provided that the owner may make such application only within one year from the date of the order required to be revised.

(2) No order shall be made under this section or the next preceding section without giving an owner or any other person interested reasonable opportunity of being heard.

17. Offences and penalties.—(1) Whoever:—

- (a) fails to pay the tax due from him within the prescribed period; or
- (b) fraudulently evades the payment of any tax due under this Act; or
- (c) allows any passenger to travel in a motor vehicle without a ticket prescribed under this Act as required by section 5 (1) of this Act; or
- (d) carries goods in his motor vehicle without issuing receipt prescribed in section 5 (2) of this Act; or
- (e) wilfully fails to apply for registration or to pay tax; or
- (f) fails to furnish information under section 9 (5) and 9 (6) of this Act; or
- (g) obstructs any officer from making entry and inspection under section 13; or

(h) contravenes any other provision of this Act or the rules made thereunder or any order or direction made under any such provision or rules not specifically provided for in the Act;

shall be liable on conviction to a fine which may extend to one thousand rupees and when the offence is a continuing one on a subsequent conviction to a fine not exceeding twenty-five rupees for each day of the continuance of the offence.

(2) No court shall take cognizance of any offence under this Act or the rules framed thereunder, except on a complaint in writing by the prescribed authority, and no court inferior to that of a Magistrate of the first class shall try any such offence.

18. Powers to compound offences.—(1) The prescribed authority may, at any time accept from any person, who has committed an offence under section 17, by way of composition of such offence, a sum of money not exceeding one thousand rupees or double the amount of tax involved, whichever is greater.

(2) On payment of such sum of money as may be determined under sub-section (1), the prescribed authority shall, where necessary report to the court that the offence has been compounded and thereafter no further proceedings under section 17 shall be taken against the offender in respect of the same offence and the said court shall discharge or acquit the accused, as the case may be.

19. Bar of proceedings.—No prosecution shall lie against any person authorised under this Act for anything done or purporting to have been done in good faith under this Act or the rules made thereunder.

20. Exclusion of jurisdiction of civil courts.—No civil court shall have jurisdiction in any matter, which the State Government or any prescribed authority is empowered by this Act or the rules made thereunder to dispose of or take cognizance of, and regarding the manner in which the State Government or any prescribed authority exercise any powers vested in it or him by or under this Act or the rules made thereunder.

21. Refunds.—The prescribed authority shall, in the prescribed manner, refund to a registered owner, applying in this behalf, any amount of tax paid by such owner in excess of the amount due from him under this Act.

22. Powers to make rules.—(1) The State Government may make rules, consistent with this Act, for securing the payment of tax and generally for the purposes of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the State Government may make rules:—

- (a) prescribing the manner in which and the intervals at which tax shall be paid under section 3 and section 4;
- (b) prescribing the authority or authorities for the purpose of carrying out any function under any of the provisions of this Act;
- (c) prescribing the forms of tickets and receipts under section 5;
- (d) prescribing the manner and payment of tax and penalty under section 9;
- (e) prescribing the manner and table of fares under section 11;
- (f) prescribing the manner in which appeals against assessment may be preferred;
- (g) prescribing the manner in which revision application may be preferred;
- (h) prescribing the manner in which refund under section 21 shall be made;
- (i) to provide for any other matter for which rules can be or may be prescribed.

(3) After the rules are framed, those will be laid in the Legislative Assembly by the State Government.

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसप्ल बोर्ड, डिंस्क्रिट बोर्ड, नोटाफाइड और टाउन एरिया तथा पंचायत विभाग

LOCAL SELF GOVERNMENT

NOTIFICATION

Simla-4, the 8th November, 1956

'A' appended to these bye-laws after their having been sanctioned by the Committee on the application of the owner or occupier of premises to be used for any of the purposes specified in the said sub-section.

2. All applications for the renewal of licenses shall be made before the fifteenth day of March in each year.

3. The licensee shall permit any officer of the committee authorised in this behalf to inspect the licensed premises at all reasonable times and without notice.

4. The licensee shall always keep the license issued by the Secretary at the licensed premises, and shall, on demand produce it for the inspection of any officer of the committee authorised under bye-law 3.

5. The licensee shall make adequate arrangements to the satisfaction of Secretary and M. O. H. of the Municipal Committee, Mandi for the extinction of any out-break of fire.

BYE LAWS FOR THE INSPECTION AND PROPER REGULATION OF PLACES LICENSED UNDER SECTION 121 OF THE P.M. ACT, 1911

- Licenses under sub-section (1) of section 121 of P.M. Act, 1911 shall be issued by the Secretary in form

6. The licensee shall at all times keep the licensed premises in a clean and sanitary condition and shall provide them, to the satisfaction of the Secretary, M. O. H. with adequate ventilation suitable drains, latrines, urinals and other sanitary conveniences for the use of the workmen employed therein.

7. The licensee shall not permit any work to be carried on at the licensed premises which gives rise to offensive noise between eight o'clock at night and six o'clock in the morning unless he has been specially authorised in this behalf.

8. The licensee shall in premises where oil engines are used, keep kerosene oil, petroleum and other inflammable materials in a separate room which shall not be contiguous to the engine room.

9. The licensee shall store in a suitable room or rooms which shall be used for no other purpose and shall be rat proof, all grains or pulse received for milling by power supplied by the oil engine and all flour produced by milling so long as it remains on his premises.

10. The licensee shall adopt the best practicable means to the satisfaction of the Secretary of M. O. H. or any other person authorised by him in this behalf for rendering innocuous gases, effluvia or vapours emitted by the engine during the process of working and shall in every case cause such gases, effluvia or vapours to be discharged into the external air in such a manner and at such a height as to admit of the proper diffusion of these gases without producing any unwholesome or injurious effect in the neighbourhood or shall cause such gases to pass from the exhaust pipe (or other outlet of such gases) through fire into a condensing apparatus and then through fire in such a manner as to consume effectually such gases so as to deprive the same of all noxious or injurious properties.

11. The licensee shall in premises where smoke arises through the use of coal in the furnace or any other place in the engine house use such apparatus that will as far as practicable consume the smoke arising from the engine or the furnace.

12. Any person who commits a breach of any of the bye-laws No. 3 to 11 shall on conviction by a magistrate, be punishable with fine which may extend to fifty rupees.

Explanation.—For the purpose of bye-laws 6 and 10, the decision of the Committee or some officer appointed by Committee in this behalf as to whether ventilation is adequate or the drains or the rooms are suitable or the means adopted for rendering gases, effluvia or vapours innocuous are the best practicable shall be final.

FORM 'A'

A license to carry on an offensive and dangerous trade in the Municipality of Mandi.

(N.B.—The license is subject to the conditions specified above).

1. Serial Number of license.
2. Name, parentage, caste and residence of the licensee.
3. A description of the premises licensed.
4. A specification of the trades mentioned in section 121(1) of the Punjab Municipal Act, 1911, for which the license is issued.
5. Endorsement of annual renewals or license.

Renewed on

Secretary,
Municipal Committee,
Mandi (H.P.).

Scales of fees for dangerous and offensive trade under section 121 of the Punjab Municipal Act, 1911, levied by

the Municipal Committee, Mandi approved by the

Serial No.	Particulars of premises to be licensed.	If the license is taken out for a period exceeding six months but not exceeding one year.			If the license is taken out for a period not exceeding six months.
		1	2	3	
1.	Premises used for sale of Bhoosa	5	0	0	3 0 0
2.	Premises used for the sale of furniture, timber and wood other than fuel-wood <i>Note.</i> —Premises used for the sale of furniture does not include making of furniture.	10	0	0	6 0 0
3.	Premises used for the sale of fuel (fire wood and saw dust)	10	0	0	6 0 0
4.	Premises used for the storage of sale (wholesale or retail) Kerosene oil; 24 gallons in quantity or over	8	0	0	4 0 0
5.	Premises used for the manufacture of soap (soap house or oil boiling houses)	6	0	0	4 0 0
6.	Place used for dressing raw hides, dying house or tannery	15	0	0	8 0 0
7.	Premises used for the storage or sale of hay, straw, sirke or kanas	5	0	0	3 0 0
8.	Premises used as depot for sale or otherwise of charcoal, or coal (retail or wholesale)	5	0	0	3 0 0
9.	Premises used as a Pottery	5	0	0	3 0 0
	<i>Note.</i> —Pottery does not include furnaces where toys are manufactured.				
10.	Premises used for making starch	5	0	0	3 0 0
11.	Premises used for the purpose of storing or sale or otherwise of bamboos	8	0	0	5 0 0
12.	Premises used as a brick kiln	100	0	0	75 0 0
13.	Premises used as a lime kiln	15	0	0	10 0 0
14.	Place used as an Engine house of 20 H.P. or more	20	0	0	12 0 0
15.	Place used as an engine house of less than 20 H.P.	10	0	0	6 0 0
16.	Premises used as depot for storage or sale of Chuna or kali	10	0	0	6 0 0
17.	Premises used as a store for more than 5 gross of Matches	10	0	0	6 0 0
18.	Premises used for the storage of dry or wet hides and skin	20	0	0	12 0 0
19.	Premises used for the manufacture of soda caustic, paints, saltpetre, sulphur, mercury, turpentine, rosin and spirits	20	0	0	12 0 0
20.	Premises used for sale of soda caustic, paints, saltpetre, sulphur, mercury, turpentine, rosin and spirits	10	0	0	6 0 0
21.	Premises used for making cloth by hand looms	3	0	0	2 0 0
22.	Premises used for making cloth by power looms	15	0	0	10 0 0

1	2	3	4	1	2	3	4
23. Premises used for the manufacture of iron safes, trunks, tins, utensils or any other trade involving hammering of metals provided not less than 8 persons work at a time ..	Rs. As. Ps. Rs. As. Ps.	10 0 0 6 0 0	unwholesome noise, smoke or smell arises ..	Rs. As. Ps. Rs. As. Ps.	30 0 0 20 0 0		
24. Premises used for manufacture of leather goods other than boots and shoes ..	5 0 0 3 0 0		28. Premises used for storage of paper, books or waste papers ..	10 0 0 6 0 0			
25. Premises used for the manufacture of boots and shoes provided not less than 8 persons work at a time ..	2 0 0 1 8 0		<i>Note.—</i> Storage means where housing excluding petty dealers in stationery and books.				
26. Premises used for welding works ..	4 0 0 2 8 0		29. Any other manufactory or engine house or store house or place of business from which offensive or unwholesome smell, noise or smoke arises not specifically mentioned in the above clause ..	10 0 0 6 0 0			
27. Factories converted by the Indian Factories Act, whether specified elsewhere or not and from which							

By order,
H. R. MAHAJAN,
Assistant Secretary.

PANCHAYAT DEPARTMENT

NOTIFICATION

Simla-4, 1st November, 1956

No. CS.III-122/54.—In exercise of the powers vested in him under rules 12, 13 and 14 of the Himachal Panchayat Raj Rules, the Lt.-Governor, Himachal Pradesh, is pleased to fix the number of members of gram panchayats as shown in column No. 6 of the schedule appended below, against each Gram Sabha mentioned in column 2 and to order reservation of seats for the scheduled castes and women in each Sabha as shown in columns 7, 8 and 9 of the said schedule.

LIST OF POPULATION OF GRAM SABHAS IN DISTRICT BILASPUR

Serial No.	Name of the Gram Sabha	Population			Total No. of seats	Reservation for		
		Total	Scheduled Castes	Women		Scheduled Castes	Women	General
1	2	3	4	5	6	7	8	9
TEHSIL SADAR								
1	Lakhanpur	2,791	723	1,326	25	5	1	4
2	Chandpur	3,294	811	1,548	25	5	1	4
3	Deoli	3,459	923	1,682	25	5	1	4
4	Dhar Tzoh	3,948	1,040	1,891	25	5	1	4
5	Panjgai	4,204	934	1,827	25	4	1	4
6	Deoth	2,802	571	1,346	25	4	1	4
7	Ranikotla	2,835	612	1,311	25	4	1	4
8	Jukhala	2,360	526	1,134	23	4	1	4
9	Dhuni Panjail	1,603	279	721	19	3	1	4
10	Namhol	1,945	329	906	19	3	1	4
11	Chhakoh	2,076	358	998	23	3	1	4
12	Jakatkhana	2,286	546	1,139	23	4	1	4
13	Behal	4,129	763	1,892	25	4	1	4
14	Nakrana	3,875	799	1,836	25	4	1	4
15	Dhabat Majari	3,156	651	1,411	25	4	1	4
16	Bhakra	3,853	772	1,740	25	4	1	4
TEHSIL GHUMARWIN								
1	Brahannikalan	2,555	639	1,214	25	5	1	4
2	Changar Talei	4,400	1,120	2,091	25	5	1	4
3	Kalol	5,310	991	2,101	25	4	1	4
4	Dhanil	4,358	1,055	2,041	25	5	1	4
5	Matia	3,200	692	1,524	25	4	1	4
6	Badol	3,738	771	1,735	25	4	1	4
7	Gehrwin	4,353	661	2,077	25	4	1	4
8	Jhandotta	3,647	857	1,639	25	5	1	4
9	Berthi	4,652	1,030	2,098	25	4	1	4
10	Chhat	4,594	968	2,069	25	4	1	4
11	Dadhol	4,901	837	2,321	25	3	1	4
12	Bhapral	4,668	760	2,166	25	3	1	4
13	Barota	3,550	505	1,701	25	3	1	4
14	Pantehra	4,041	818	1,863	25	4	1	4
15	Hatwae	4,205	1,051	2,059	25	5	1	4
16	Talwara	4,386	870	2,100	25	4	1	4

1	2	3	4	5	6	7	8	9
17	Bhabla	2,955	813	1,444	25	6	1	4
18	Seo	3,883	723	1,943	25	4	1	4
19	Ghunjarwin	3,037	800	1,589	25	5	1	4
20	Auhar	4,898	1,286	2,306	25	5	1	4
21	Mahawar	3,849	707	1,781	25	4	1	4
22	Manjhwar	2,458	435	1,124	23	3	1	4
23	Talyana	2,250	587	1,067	23	5	1	4
24	Mehrin	2,054	358	963	23	3	1	4
	Kathia							

A.

भाग ६—वैयक्तिक अधिसूचनाएँ और विज्ञापन

OFFICE OF THE DIVISIONAL FOREST OFFICER,
SUKET FOREST DIVISION, CHAMBA CIRCLE,
SUNDERNAGAR, HIMACHAL PRADESH

NOTICE

Trees of all species marked along Motor road alignments, in Suket Forest Division will be sold by

public auction to be held at Sundernagar at 11 A. M. on 1st December, 1956 in the office of undersigned. All are cordially invited to attend. Conditions of sale will be announced at the spot.

SATYA VRAT,
Divisional Forest Officer.

भाग ६—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन
शून्य

भाग ७—भारतीय निर्वाचन-आयोग (Election Commission of India) की वैयानिक अधिसूचनाएँ तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएँ।

शून्य

अनुरूप

शून्य

Late Received

PART I

HOME DEPARTMENT

NOTIFICATION

Simla-4, the 14th November, 1956

No. HGT. 57-146/51.—In exercise of the powers vested in him under the provision of sub-section (2) of section 471, Cr. P.C., the Lieut.-Governor, Himachal Pradesh, is pleased to empower the Superintendent, District Jail, Nahan (Civil Surgeon, Sirmur) to examine the lunatic, Mohan Lal confined in the District Jail, Nahan and to discharge all or any of the functions of Inspector-General of Prisons under section 473 or section 474 of the Criminal Procedure Code.

By order,
K. R. CHANDEL,
Assistant Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Simla-4, the 12th November, 1956

No. PW. PF/47333-39.—Shri V.V. Sundram, Assistant Engineer on deputation from Central Public Works Department to Himachal Pradesh Public Works Department assumed the charge of the office of Assistant Engineer (Planning & Design) Buildings attached to the Chief Engineer's office on the forenoon of 24th October, 1956.

Simla-4, the 14th November, 1956

No. PW. 12-9-2/52-47850-53.—Shri William F. Desouza, Sub-Divisional Officer, Mahasu Electrical Sub-Division, Simla took over additional acting charge of the Hydro Electrical Division, Simla on 16th October, 1956, afternoon from Shri Yadav Nandan Malhotra, Executive Engineer who proceeded on 18 days' earned leave.

G. R. NANEGA,
Secretary.